

## **MEETING MINUTES FROM THE PREPROPOSAL CONFERENCE HELD ON 6/17/09**

**The following sections of the RFP were presented at the preproposal conference**

### **PART I – SECTION C – SCOPE OF WORK**

#### **1. Definitions**

#### **2. CMc General Description and Scope of Work.**

The services required of the CMc shall cover a wide range of design and construction activities, which are often performed by both Construction Managers (CMs) and General Contractors (GCs). The CMc will be responsible for providing preconstruction services, construction management services, and construction services during the course of any task order. The CMc will be at risk and responsible for involvement in the project development and administration of the project. The CMc shall assist the Government to achieve its goals with respect to a project's schedule, budget, scope and quality.

The CMc shall be a member of the project development team during the planning, design, and construction phases. The CMc selected for this project shall work along with GSA and GSA's selected A/E firm. The CMc will be responsible for providing the management, quality control, and administrative tasks needed to perform the services in an expeditious and economical manner consistent with the best interests of the Government.

The CMc shall provide GSA with sound management advice regarding the approach to the project, how to achieve the best value in the work being accomplished, necessary actions, schedule control, alternative ideas, problem/claim prevention, and budgeting. The CMc shall have full understanding of the project, its contract documents and the principles of Federal construction contracting and contract administration. Most importantly, the CMc shall have complete responsibility for construction of the project.

The CMc may or may not perform all the services required under this contract as detailed in individual task order requirements. There are two main components of work to be performed under this contract: **Preconstruction Phase Services** and **Construction Phase Services**. The CMc is responsible for providing the management, quality control, and administrative tasks needed to perform the services in an expeditious and economical manner consistent with the best interests of the Government. The CMc shall assist the Government to achieve its goals with respect to the project's schedule, budget, scope and quality.

#### **a. Guaranteed Maximum Price (GMP) for Construction Phase Work Option**

The Construction Phase Services shall form an option to the contract. No construction shall begin without Government approval. Prior to the exercise of the Option for the Construction Phase Work, the Government and the Contractor shall negotiate the estimated Cost of Work ("ECW") and the Construction Contingency, which when combined with the Fee shall not exceed the Guaranteed Maximum Price (GMP). If the Government and the Contractor agree upon an ECW within the GMP, the Government may exercise the Option for the Construction Phase Work, and the Contractor will be required to complete the Construction Phase Work. In consideration for the completion of the Construction Phase Work, the Contractor shall be entitled to the Cost of performance not to exceed the GMP. If the Cost of Performance is equal to or greater than the GMP, the Contractor shall not be entitled to additional compensation exceeding the GMP.

#### **b. Conditions for Exercise of the Construction Phase Work Option**

The Government is under no obligation to exercise the Construction Phase Work Option. The Construction Phase Work Option may be exercised during multiple stages of the Design Phase Services and establishment of the ECW. In the event that the Government decides not to award the Construction Phase Work Option to the Contractor, for whatever reason, the Government may restrict the subsequent

competition to those offerors (excluding the Contractor as an offeror or teamed with any other offeror) that submitted best and final offers in response to the original procurement. In the follow-on procurement, the Government may use, incorporate and/or make available any information, documents, and/or concepts derived, submitted or otherwise provided to the Government by the Contractor in connection with the Design Phase Services.

## **PART I - SECTION F - DELIVERIES & PERFORMANCE**

1. **Place of Performance:** The services to be provided under this contract shall be accomplished within the following six States:

Ohio  
Indiana  
Illinois  
Michigan  
Wisconsin  
Minnesota

2. **Term of Contract:** After award, the successful contractor will be given a written notice to proceed and shall provide contractual services for a twelve month period, subject to the availability of appropriations (see the clause 552.232-77, Availability of Funds, Section I) commencing on the date specified in the notice to proceed.
3. **Minimum Guarantee:** For the term of this contract, the Government shall order supplies and services under this contract with a value of at least \$25,000. If the contract is terminated, for reasons other than default, during the base year or any option year, the minimum guarantee shall be prorated based on the number of calendar days the contract was in effect.
4. **Option to Extend the Term of the Contract:**
  - a. The Government shall have the unilateral option of extending the term of this contract for four (4) consecutive additional twelve month periods (see clause 52.217-9, Option to Extend the Term of the Contract--Services). The same terms and conditions contained in this contract shall apply to any option exercised. The option shall be exercised upon written notification (mailed or otherwise furnished) to the contractor at least thirty (30) calendar days prior to the expiration of the contract. The total duration of this contract, including the exercise of any options shall not exceed five years.
  - b. The exercise of options is a Government prerogative, not a contractual right on the part of the contractor. If the Government exercised the option within the prescribed time frames, the contract shall be bound to perform the services for the option period or be subject to the default provisions of this contract.
6. **Procedure for Ordering Preconstruction & Construction Phase Services:**

All CMc services will be procured through the issuance of contract task orders that are competed amongst all of the multiple awardees that are on the IDIQ contract as requirements occur. Contract task orders will be issued using the GSA Form 300, titled "Order for Supplies and Services". A GSA Form 300-A may be used for continuation sheets when necessary. Attachments forming part of each contract task order may also be used for lengthy statements of work, etc. Each task order RFP will establish the need for subcontracting plans and bonding requirements. It is anticipated that each task order will require a bid bond. Each task order will require payment and performance bonds.

- a. **Issuance of Request for Proposals (RFP):** Since multiple awards of contracts are planned, all awardees will be given a fair opportunity to be considered for each task order. Factors such as qualifications of key personnel, past experience, past performance, potential impact on other task

orders placed with the contractor and total evaluated price will be considered in determining award of individual task orders. Each RFP will clearly identify the proposal submission requirements and evaluation criteria specific to the requirements of the scope of work associated with that RFP.

Proposals for task orders shall typically be submitted within fifteen (15) calendar days after receipt of the Government's RFP and scope of work unless a longer time is requested or granted due to the complexity of the request.

Task orders, and associated modifications, must be signed by the Contracting Officer or a designated ordering official to be valid (Designated ordering officials will be identified in writing at time of task order award).

- b. Task Order Pricing:** Contract task orders may be priced with an appropriate fixed dollar value and indicate a performance period for the required services. Alternatively, they may also be issued with a Guaranteed Maximum Price (GMP), with a ceiling price established at the time of task order award. Individual task orders may contain multiple options for preconstruction phase and construction phase services. The total evaluated price for each task order (consisting of the base, and any and all options including the GMP) will be compared against other offers received and to the Government cost estimate. Bid bonds may be required with proposals for task orders. Individual task orders will identify if a bid bond is required.
- c. Evaluation of Proposals for Task Orders:** The "best value trade-off process" (FAR 15.101-1) will be utilized in evaluation for each task order and the selection of the successful Offeror. The "best value trade-off process" is a method of evaluating price and factors other than cost or price, as specified in the RFP. This evaluation method has the objective of making trade-offs among price and non-price factors, permitting award to other than the lowest priced Offeror or other than the highest technically rated Offeror. The Government will select the proposal that represents the best value based on the evaluation of both the technical factors and the total evaluated price.
- d. Oral Interviews:** All offerors will be evaluated based on the criteria and standards listed in each RFP for individual task orders. Offerors may be required to give oral presentations at the regional office of the General Services Administration located in Chicago, Illinois. During the interviews if required, firms should be prepared to discuss all aspects of the evaluation criteria and to demonstrate their ability to fulfill all project requirements. These oral presentations will augment the written information provided with the technical proposal. Emphasis will be placed on the unique aspects of the project, preconstruction design review and the construction phase. Each firm may be required to bring all key personnel submitted in the project management staffing plan. Additional details will be provided to those firms invited to participate in oral interviews if required.
- 7. Use of the GMP & Shared Savings for Construction Phase Services:** The following clause will be included with each task order describing the use of shared savings and the determination of final settlement of the GMP:
- 8. Task Order Disputes:** If for any reason agreement cannot be reached as to total price or time for performance, the Government reserves the right to terminate the task order at no cost and to procure the specific service elsewhere or, at the Government's option, unilaterally establish the total price and time for performance of the order. The failure of the Contractor and the Government to agree shall be a dispute concerning a question of fact within the meaning of the Disputes Clause of this contract.

## **SECTION H- SPECIAL CONTRACT REQUIREMENTS**

- 1. Contractor's Staff:** The Contractor shall utilize the personnel identified in its offer for any individual task order to perform the services required under this contract. In the event that any of the personnel identified in the offer is unable to perform due to death, illness, or separation from the contractor's firm, the Contractor shall promptly submit to the Contracting Officer, in writing, an explanation of the circumstances

necessitating a substitution and the resume of the substitute. The substitute shall meet the same qualification of being a certified general appraiser in the state where the area served by the contract is located. Substitution of personnel will not justify a change in contract prices.

5. **Security Regulations:** All security clearances will comply with Homeland Security Presidential Directive (HSPD) 12, "Policy for a Common Identification Standard for Federal Employees and Contractors". All non-government members of the contractor's team will be required to obtain security clearance through GSA, including a background check. The contractor should work with the designated Contracting Officer's Representative to complete appropriate forms and provide necessary background information to comply with HSPD-12. Project specific task orders will define any associated requirements for security clearances. Notice to proceed will not be granted until security clearances have been processed.

## **PART II – SECTION I - CONTRACT CLAUSES**

Service Contract Clauses  
Construction Contract Clauses  
ARRA Clauses

## **PART IV - SECTION L – PROPOSAL SUBMISSION REQUIREMENTS**

3. **General** The instructions below provide guidance for the preparation and submission of proposals. Their purpose is to establish the requirements for the format and content of proposals so that proposals are complete, contain all essential information and can be evaluated equitably.

- c. **Required Documents:** The following are required documents included with proposal (see section M for evaluation criteria):

- GSA Form 527 – Contractor's Qualification and Financial Information
- Standard Form 24 – Bid Bond (For Proposed Price for Peck Task Order Only)
- Subcontracting Plan (For Peck Task Order Only)
- Technical Proposal (1 Original and 5 copies)
- Price Proposal - Standard Form 33 – Solicitation, Offer, and Award (1 Original and 5 copies)
- Notarized statement from an approved surety that they are willing to bond the offeror up to an amount equal to the Annual Contract limit of \$150,000,000.00

**\*Please note** - Offeror Representations and Certifications shall be filed electronically using the annual representations and certifications Online Representations and Certifications Application (ORCA) website at <http://orca.bpn.gov>

- d. **Go/No Go Requirement:** Offerors must provide a notarized statement from an approved surety that they are willing to bond the Offeror up to the Annual ordering limit of \$150,000,000.00. Failure to provide this notarized statement will result in the Offeror being removed from consideration for award. Their proposal will not be evaluated as their proposal will be considered non-responsive.

- e. **Contents of Technical proposal:**

The technical proposal should be submitted in 8-1/2" X 11" spiral bound format and should be organized to correspond with the evaluation criteria listed herein. Offerors are encouraged to provide clear examples that meet all of the requirements as described in the evaluation criteria.

- i. **Portfolio of Sample Projects – Experience**

**1. Description:** This factor considers the Offeror's experience as a firm in providing Construction Phase Services and Preconstruction Phase Services. This factor will be evaluated based upon the written response included in the technical proposal. Experience can be described as *what* jobs you have performed.

An "example" project is defined as renovation or alteration of a federal courthouse, office building, or similar building with construction costs greater than \$30,000,000.00.

**2. Submittal Requirements:** Provide at least three (3) example projects in the last ten (10) years in which the Offeror used Construction Manager as Constructor or Construction Manager at Risk delivery, or in which the Offeror acted as a traditional General Contractor. Current example projects must be at least 50% complete to be considered relevant for this factor. For each project, describe in detail: the size, scope, complexity, phasing plan, planned and actual budget, planned and actual schedule, tenants who occupied the building, cost control and cost tracking methods, schedule control, coordination, and experience in delivering the completed projects. Describe how you worked within a fixed schedule and within the prescribed budget.

At least one of the three examples provided must also be a project in which the Offeror provided Preconstruction Phase services. The Offeror should provide written demonstration of their experience in providing project planning, value engineering, cost savings, design reviews, constructability reviews, problem/issue resolution, coordination, phasing plan development, CPM development, site logistic planning, independent cost estimating, and development of subcontractor interest necessary to complete the project within the prescribed budget and a fixed schedule.

Describe in detail two challenges encountered during construction for each Construction Phase Services project provided above that did affect or had the potential to affect the budget or schedule. Detail how each challenge was identified, evaluated, and overcome in order to get the project completed. The challenges should show your ability to problem solve. The challenges will **not** be evaluated on whether or not they impacted the project but on your problem identification and resolution proficiency.

**ii. Project Management Plan – (Preconstruction Phase Services and Construction Phase Services)**

**1. Description:** This factor considers the Offeror's project management plan which indicates the methods and means they will employ to ensure management of the Peck project in a manner which will maximize the opportunity for successful completion that is on-time, on-budget and within quality expectations. This factor will be evaluated based upon the written response included in the technical proposal. The proposal should delineate the Offeror's knowledge, programs and processes and demonstrate their approach to their management and execution.

**2. Submittal Requirements:** The Offeror shall provide a detailed project management plan that includes the following:

**a. Staffing Plan:** Provide a complete staffing plan detailing all team members to be assigned to the Peck project. Suggested team members may include the following: Corporate Construction Executive, Project Coordinator, Project Manager - Pre-Construction Phase, Engineering Review Coordinators, Major Consultants (i.e. acoustics, security, asbestos abatement, elevators, windows etc.), Cost Estimating Staff, Scheduler, Project Manager - Construction Phase, Construction Superintendent, Quality Control Superintendent, Project Engineer, Construction Supervisors, Testing Engineering firms, and other key individuals. The staffing plan should include an Organizational Chart and Lines of Authority for both preconstruction and construction phases. For each key person, identify the proposed duties in the project; identify the person as a part-time or full-time employee, detail the amount of time anticipated to be spent on-site and the amount of time to be spent in the home office and identify the firm for which the employee works. Describe the amount and form of interaction between the home office and the construction site. Identify which personnel will responsible for the quality control and safety programs.

The Offeror shall designate and identify on-site key personnel having signatory authority who can bind the contractor in negotiations for changes and sign letters and contract modifications.

**b. Quality Control Plan (QCP):** Provide a detailed QCP featuring both a Management Plan and Inspections/Test sections. The management plan must describe the Offeror's process for planning, organizing, coordinating and controlling the execution of the construction work. It shall address methods employed to prepare, monitor and accomplish the project's schedule and to track and control project costs. It details the communication plan and problem resolution procedures as well as quality control methods employed. The plan should address the coordination, development and review of shop drawings, samples and submittals. The Inspections/Tests section shall demonstrate how the Offeror successfully implements this program and define their process of identifying, scheduling, testing, correction and follow-up for each divisional building system/feature.

**c. Safety Plan:** Provide a safety plan that demonstrates the firm's approach to preventing accidents and injuries with contingency plans for responding to accidents. Provide specific methods for processing correspondence, and for dealing with issues, problems, questions, emergencies and other areas.

### iii Qualifications and Experience of Key Personnel

**1. Description:** This factor considers the qualifications and experience of key personnel on the Offeror's team and how it relates to the Peck project project. This factor will be evaluated based upon the written responses to the RFP by the Offeror and may include the calling of references to verify key personnel qualifications as well as performance. Personnel are considered qualified when their experience shows them to have performed successfully in comparable positions on similar projects.

**2. Submittal Requirements:** The Offeror must submit the following information at a minimum: The Offeror shall identify the personnel they propose to fill the key team member positions listed below and state their roles and responsibility to the Peck project. The Offeror shall provide evidence of the competency, past performance, qualifications and related experience of key team members. If the key team members did not work on the three projects submitted under Evaluation Factor Number 1, provide contact information for two references each who can provide thorough knowledge of the details of the individual's performance (such as the Project Manager, Building Owner, or Contracting Official associated with the project) in a similar position on a similar project. The Offeror shall provide resumes for each key team member clearly indicating their currently held position/title, proposed project position/title, education, qualifications, professional licensing, personal awards received, and work experience over the last ten (10) years. Provide a matrix chart clearly identifying the roles that key team members held on the projects submitted under the Experience and Past Performance factor. Key team members are defined as follows:

- a. Project Coordinator
- b. Project Manager - Preconstruction Phase
- c. Project Manager - Construction Phase (if different)
- d. Construction Superintendent (overall responsibility for project construction and schedule)
- e. Architectural Coordinator
- f. Mechanical/Electrical/Plumbing Coordinator
- g. Other key team members as determined by the Offeror.

Note: Any of the team members indicated above may be represented by the same individual/firm, except as noted in the description of contractor roles and responsibilities outlined within the RFP. Offerors should clearly note in their submittal documents any of the above key team members who will be represented by the same individual/firm. Developers are not required for this project but must be identified if used as a part of the team.

**iv. Past Performance in providing Construction Phase Services and Preconstruction Phase Services on similar projects**

**1. Description:** This factor considers the Offeror's Past Performance for the projects submitted under evaluation factor number 1, Past Experience. This factor will be evaluated based upon the responses from the references provided by the Offeror. Past performance can be described as *how* an Offeror performed on a job.

The Government intends to contact those individuals who are provided as references by the Offeror to verify that the services provided comply with the similarity requirements of this RFP and to solicit an assessment of the quality of those services provided through a Past Performance Questionnaire. FAR 15.305(a)(2)(iv) states, "In the case of an Offeror without a record of relevant past performance or for whom information on past performance is not available, the Offeror may not be evaluated favorably or unfavorably on past performance." Therefore, failure of the Offeror to provide a minimum of two relevant references and/or the inability of the Government to complete a minimum of two reference checks after making a reasonable effort to do so, may result in the Offeror being rated as "neutral" on the past performance factor. The Government is not required to conduct or complete reference checks on more than the two required references for each phase. In addition to contacting references provided by the Offeror, the Government may solicit other sources to find references for other relevant, similar work performed by the Offeror.

**2. Submittal Requirements:** Offerors are required to submit the following information for preconstruction and construction phase services:

**a. Construction Phase:** Provide contact information for two individuals for each project submitted under Evaluation Factor number 1 – Past Experience on Construction Phase Services. References must have thorough knowledge of the details of the Offeror's performance (such as the Project Manager, Building Owner, or Contracting Official associated with the project) for the majority of the contract performance period, so that the reference may sufficiently respond to the questionnaire. Provide contact names, role in the project, address, telephone number and email address for each individual. Offerors are instructed to use the form in Section J, Attachment 2 – Past Performance Reference Sheet

**b. Preconstruction Phase:** Provide contact information for two individuals for the projects submitted under Evaluation Factor number 1 – Past Experience on Preconstruction Phase Services. References must have thorough knowledge of the details of the Offeror's performance (such as the Project Manager, Building Owner, or Contracting Official associated with the project) for the majority of the contract performance period, so that the reference may sufficiently respond to the questionnaire. Provide contact names, role in the project, address, telephone number and email address for each individual. Offerors are instructed to use the form in Section J, Attachment 2 – Past Performance Reference Sheet

If any problems were encountered on the identified contracts for which the Offeror has submitted references, the contractor may provide a brief narrative describing the nature of the problems and the corrective action taken.

**v. Experience with Multiple Markets:** Provide a brief narrative describing your firm's ability to successfully manage multiple projects covering multiple states that is the Great Lakes Region (Ohio, Indiana, Illinois Michigan, Wisconsin and Minnesota), all of which include both large cities and small cities. The narrative must also address your firm's ability/experience to work in markets where the firm does not have an already established relationship with the subcontractor community. Be sure to address your firm's plan to enter into markets where your firm may not have experience working.

**f. Price Proposal**

The offeror should insert rates in Section B, Price Schedule of the solicitation and provide a total evaluated price. Print out and return the price schedule section as your price proposal:

- i. Offerors must provide a total aggregate price for the base year and each subsequent option year.
    - ii. Offers must provide a Total Evaluated Price (TEP) for the Peck Task order which is included in the total evaluated price for the RFP.
  - g. Instructions for Packaging Proposals:** The technical proposals shall not contain any pricing information. Your proposal package shall be comprised of two sealed envelopes, one to contain one original and five copies of your technical proposal to be marked "TECHNICAL PROPOSAL" and the other to contain one original and five copies of your price proposal to be marked "PRICE PROPOSAL" All envelopes shall clearly identify your firm name and address.
- 4. Oral Interviews:** All Offerors will be evaluated based on the criteria and standards listed in this RFP. Those Offerors representing the most highly rated Offerors will be included in the competitive range. Those Offerors included in the competitive range shall give oral presentations at the regional office of the General Services Administration located in Chicago, Illinois. During the interviews, firms should be prepared to discuss all aspects of the evaluation criteria and to demonstrate their ability to fulfill all project requirements. These oral presentations will augment the written information provided. Emphasis will be placed on the unique aspects of the project. Each firm is required to bring all key personal submitted in the project management staffing plan. Additional details will be provided to those firms invited to participate in oral interviews.

## **PART IV – SECTION M – EVALUATION FACTORS FOR AWARD**

- 1. FAR 52.217-5 Evaluation of Options (July 1990)** Except when it is determined in accordance with FAR 17.206(b) not to be in the Government's best interest, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).
- 2. Evaluation of Proposals**

Award of the IDIQ contract will be made to the contractor representing the best value to the Government based on evaluation of the technical and price proposals where as the technical factors will be considered significantly higher than price.

**a. Go/No Go Requirement:**

Offerors must provide a notarized statement from an approved surety that they are willing to bond the Offeror up to the annual ordering limit. Failure to provide this notarized statement will result in the Offeror being removed from consideration for award. Their proposal will not be evaluated as their proposal will be considered non-responsive.

**b. Technical Evaluation**

Technical proposals will be evaluated based on the following factors in order of importance:

**1. Experience in providing Construction Phase Services and Preconstruction Phase Services on Example Projects:**

The standard is met when:

- a. The Offeror has documented significant experience providing Construction Phase Services for at least three (3) example projects in the past ten (10) years in a Construction Manager as Constructor or Construction Manager at Risk delivery, or in which the Offeror acted as a



traditional General Contractor. The Offeror has satisfactorily demonstrated their knowledge and experience renovating building systems and features. The Offeror has documented its ability to deliver the completed projects within a fixed schedule and within the prescribed budget.

- b. The Offeror has described two challenges encountered for each construction phase project, detailing their role in identifying, evaluating and solving the problem to mitigate any resulting impact to schedule and budget. Examples should cumulatively demonstrate the firm's issue resolution methodology.
- c. The Offeror has documented significant experience providing Preconstruction Phase Services for at least one similar project in the past ten (10) years. The Offeror has documented its ability to provide services that improve the quality and accuracy of the construction documents produced by the A/E firm and has ensured compliance with the prescribed budget and schedule.

## **2. Project Management Plan:**

The standard is met when:

- a. The staffing plan submitted demonstrates that the Offeror has a clear understanding of the level of staffing necessary as well as the qualifications and expertise of that staff to successfully execute the Peck project. Staffing levels and the amount of time staff members spend on-site are appropriate. Staffing responsibilities and staff with signatory authority are clearly defined. The proposed staff appears capable of completing a project within a given timeframe, working hours and budget.
- b. The Quality Control Plan clearly demonstrates methods that will ensure compliance with contract requirements and relates those to the Peck project. The Offeror has shown that their processes for planning, organizing, coordinating, controlling and communicating can be successfully implemented within their proposed organization and will facilitate the execution of the Peck project. The Firm's processes for planning and executing shop drawing and submittal reviews as well as cost and schedule control measures are realistic and will improve the likelihood of project success. The Offeror has clearly demonstrated their ability to plan and execute necessary component and system tests to guarantee proper installation.
- c. The Safety plan ensures optimum prevention of accidents and injuries and demonstrates an effective response plan. Problems, questions, and emergency situations are anticipated and avoided through the Offeror's proactive measures.

## **3. Qualification of Key Personnel**

The standard is met when:

Each of the key team members has held at least one comparable position, to that proposed, for a similar project and has the appropriate education, training, experience and certification required to be assigned to this position and for this project. Preference shall be given to those members having experience on multiple similar projects and/or successful performance in comparable positions.

## **4. Past Performance:**

The standard is met when:

References contacted provide favorable evaluations indicating that the projects have met or exceeded the customers' requirements as set forth in the construction contract documents (drawings and specifications) in a timely manner, and within established budgets.

## **5. Experience with Multiple Markets:**

The standard is met when:

The offeror has demonstrated that they have the ability and/or experience to handle multiple projects in a large diverse area; demonstrated the experience and/or ability to break into new markets where they do not have an existing relationship with the subcontractor community.

**b. Price Proposal**

The sum of the total aggregate price of the base contract, all four option years and the Peck task order will serve as the basis of evaluation.